THE PORT FOLIO,

(NEW SERIES)

BY OLIVER OLDSCHOOL, ESQ.

Various;—that the mind
Of desultory man, studious of change,
And pleas'd with novelty, may be indulg'd.
COWPER.

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ORIGINAL PAPERS.

For the Port Folio.

THE LAY PREACHER.

"What aileth thee?"

TO what countless sick people might this question be proposed, and yet not one of the number be really ill, in the medical sense of the word. But there exists in some individuals an ill habit of mind, a sickness of the heart, a lameness of spirit, diseases more difficult to cure than cancer, fever, or gout. A good-natured patient, swallowing his physician's prescription, may become free of a sick room, and walk at large with Health's reddest roses blooming on his cheek. But a man of morbid anxiety, fretfulness, ambition, or avarice, will send in vain for the healing drug of the apothecary. His wounds are of so rancorous, festering, incurable a nature, they will demand much time to heal and many medicines to assuage. Though the whole medical Society should consult, though Turkey should yield all her poppies, and the *balm of Gilead* trickle from a thousand jars, the cancer of the heart mocks the healing power, and often the fell malady is commensurate with life.

In morning and devious rambles through lonely pasture, or gloomy wood, far from the clink of Industry's anvil, far from the jocund chorus of Music's songs, I meet a meagre and moping hypochondriac. His temples do not throb, but they are bound, not with the chaplets of Spring, but with a white handkerchief, the flag of head-ach, and of spleen. The day is genial; for it is one of the mildest in May; but doubled and trebled stockings on his legs, thick vests closely buttoned over his bosom, and a ponderous great coat, enveloping the man, attest the nature and magnitude of his fears. He shivers at a zephyr, impregnated with flowers, and when all nature is warm, he dreads taking cold. What a disease, and what stubborn symptoms, which acknowledge no cause! I have a right to say 'no cause,' for well I know the fate and fortunes of this Splenetic. The first is happy, and the other ample. Blest with birth, with talents, with family, with favour, have not I a privilege to inquire of him, with more than common curiosity, *what aileth thee?* why is thy countenance cast down? why is thy brilliant spirit troubled?

What aileth thee? O selfish bachelor! Why still immure thyself in the cold prison of celibacy? Why shun the conversation and the charms of the fair? Why not abandon the humdrum associate, the solitary pipe, and the lonely chimney-corner, and mingle, like thy fellows, in the society of the sex? Does thy gloomy humour comport with pleasure, comport with interest? No; thy joy is sullen, and thy fortune neglected. Arise then, and go out, and inquire fearlessly of some fair Rebecca of the land, Wilt thou go with me? and, be assured, if, like Jacob, of old, thou art a patient,

kind, and persevering lover, her frank answer will be, like that of her ancient namesake, I will go.

What aileth thee, thou furious Jacobin? I know thy genius well. Though thy name, perhaps, is new, thy spirit is old. Thou didst not curse earth for the first time, during the decadence of the French monarchy. No, in the shape of Satan, thou didst crawl among the flowers of Eden, and didst blast the tallest trees of Paradise; in the shape of Brutus thou didst assassinate Julius Cæsar; in the shape of fanatic Bradshaw thou didst sit in judgment on thy sovereign; in the shape of Freedom didst thou banish order and comfort from mankind. But why this restless, this rebellious, this vindictive spirit? Is it to benefit thy country? Consult History, consult Experience. Is it to benefit thyself, thy party and thy friends? Examine thy own nature, search thy own records; remember thy fortune. What has become of thy great archetype? Where is Robespierre and Marat and Condorcet? Where is Brissot with his simulated moderation, or Roland with his morbid strength? Where is thy Council of Dotards and Council of Infants, thy Directory of Five Scoundrels, or thy Consulate of three?

For the Port Folio.

THE DAY.

BY DAVID DIARY.

No. 15.

> In features—not of form alone,
> But those, I trust, of mind—
> Auspicious to the public weal.
>
> YOUNG.

MR. DIARY,

AMONG the extraordinary circumstances that have attended a very extraordinary prosecution (United States v. William S. Smith) that of the disobedience of Messrs. Madison, Dearborn and R. Smith, to the subpœna of the court, is not least entitled to our attention. The naked fact is sufficiently enormous; but when, with this, we couple the letter of these gentlemen upon the subject, the whole, together, excites a degree of indignation, infinitely above what is ordinarily called for by public misconduct. Nor is indignation all; we should review it with the coolest temper, and pronounce upon it our most serious judgment.

The defendant in this prosecution stands before the court and jury as a man *falsely* charged: every culprit is to be so considered; in other words, he is to be presumed innocent. With respect to what is peculiar in the situation of this defendant, the code from which this country derives its laws has benignantly regarded it as one of more than usual misfortune, and demanding more than usual indulgence: a private man, he has to support himself against all the weight of government. With this sentiment in its breast, what is the conduct of the court? It looks with a suspicious eye on the state-prosecutor; it allows him no jot beyond his bond, in whatever can strengthen the prosecution; but, to the defendant it extends a helping hand; it considers his comparative weakness, and it will allow him to be deprived of nothing that can render him the most trivial assistance. That innocence which it is bound to suppose in him, it is, with all the tenderness of a father, with all the zeal of a friend, with all the authority of the fasces, to protect him in establishing.—Such is the conduct of an upright court.

Will, then, that upright court wink at the denial of any testimony which a defendant declares to be essential to his cause? Will it, whatever it might say under accidental circumstances, will it wink at the deliberate denial, the determined resistance, to the calls of a man labouring in his defence, at the tribunal of his country? Or, if, under any view of the case, it allow itself to pass over these reflections, will it bear with contempt of its own authority, with neglect of its own writ?

Such might be the simple principle of action, in a judge governed by the mere motives of humanity, or by the mere consideration of the dignity of the laws and of the seat he fills; but, if that judge possess a spark of patriotism, if he understand and would protect the constitution of a free state, other circumstances may present themselves, aggravating beyond all bounds this contempt and neglect.

The individual prosecuted may not only have to sustain a prosecution of the government, but he may need, or desire, the testimony of persons being members of that government; and, in this case, not alone the upright judge, but the constitutional lawyer will startle in an attempt, on the part of such persons, to resist, or to evade, or to lull into a mortal slumber, the exercise of his sacred functions. Compared with this attempt, the particular case, the particular defendant, will escape his sight; his eye will see nothing but the station of the persons by whom it is made. All that is man, all that is citizen in him, will take alarm: he will feel that the palladium is endangered, and that from him is expected its defence.

Messrs. William S. Smith and Samuel G. Ogden are prosecuted by the United States

They say, that the testimony of Messrs. J. Madison, H. Dearborn, and R. Smith, members of the government, is necessary to their defence. These gentlemen are served with the subpœnas of the court, but when the day of trial arrives, they neglect to attend; the district-attorney resists, not only all delay, but the application for compulsory process against the persons guilty of this contempt, and proceeds to trial; he, armed with all the evidence he thinks proper to produce; the defendant, at his petition, denied that which he calls necessary, and which is with the utmost facility to be had!

Mr. Diary, the first point, with a politician, respects the abstract nature of this question; the first, with a lawyer, the materiality of the witnesses; I believe, that to men of both minds, there is quite enough to harrow the feelings.

First, as to the materiality of the witnesses in this case, I believe that a very few words will make it manifest. It is not, that from any thing I have heard or read, the evidence of Messrs. Madison, Dearborn, and R. Smith, or of Mr Jefferson himself, can support any legal defence to the very serious charge exhibited against the defendants: all that has been advanced by their friends, or is contained in the memorials addressed to congress by themselves, fall very short of this. The inclinations, the opinions, the connivance of the president, or of any other public servant, take away nothing from the responsibility of messieurs Ogden and Smith. Neither the inclinations nor the connivance of Mr. Jefferson, nor of Mr. Madison, could authorise Mr. Ogden or Mr. Smith to offend the laws, or can be pleaded in their defence. The opinion of those gentlemen, represented to have been given by them to Miranda, and by him related to Mr. Ogden and Mr. Smith, is of still less value. They had no authority to give; and their opinions could be mistaken for oracles by none but fools. What is their opinion, when put in opposition with the statutes? What is their opinion, that it should interfere with the decisions of the courts? Their opinion it was imbecility to ask, and presumption to pronounce. Must statesmen be lawyers? God forbid!—Neither the ignorance of Mr. Jefferson, Mr. Madison, Mr. Dearborn, Mr. R. Smith, Mr. W. S. Smith, nor Mr. S. G. Ogden, affords any plea: *Ignorantia legis neminem excusat.*

But, when Messrs. Ogden and Smith talk of the inclinations and connivance and opinions of the public servants, who, as they pretend, were consulted upon the commission of the offence with which they are charged, they appear to argue from a principle the most anomalous, under a free constitution, that any man can figure to his mind! What is it that they mean, unless they imagine the inclinations, connivance and opinions of the executive government, to be superior to the authority of the laws? What they disclose, if inculpative at all, is of a nature to blast, not so much the private as the public character of the statesmen implicated; but, can they think that it affords them any legal defence? They should have remembered that the connivance, and even the orders, of powerful men can avail them nothing, in any country where all other power bends to the power of the law; they should have remembered, that the time comes, when all unlawful protection fails; they should have observed the Spanish proverb: *Kill not the man to-day, at the request of the count; for to-morrow the count will die, and you will be hanged.*

But, though the evidence in question could afford no legal defence, could it afford no moral defence? could it say nothing in mitigation? is it impossible that it could in any manner affect the temper of the court, the jury, or the country? that it could induce a reluctant condemnation, and a gentle punishment? that it might show the defendants, though guilty in the eye of the law, entitled to an acquittal from the breast of every honest man? that it could lead to the adoption of such sentence as such impression must induce?—The witnesses, therefore, may be very material.

But, if these witnesses be material, what are we to think of their being withheld from a defendant, from a defendant prosecuted by the state; and withheld, too, by the *authority* or *influence* of the state? I am not to be accused of disrespect to any of the persons concerned, when I say, what I have an unquestionable right to say, that between the officers of government, collusion, improper collusion, is always supposable. That American, therefore, is dead to the interests of his country, is without a notion of the interests of a free people, who does not see the present transaction in an important light. It is not a mere injury of the defendants in this prosecution; it is not a mere contempt on the part of a private citizen, against whom compulsory process would assuredly have been had, and against whom therefore the dignity of the laws would have been vindicated; but it is a desperate and too successful attempt, on the part of public servants, on the part of government, on the part of men, who of all others ought to show the most ready obedience to the courts, who of all others owe the most ready obedience to the call of their country; it is a desperate and too successful attempt, on the part of these men, to *manage*, I say to *manage* (for that is sufficient) the courts of justice! Let it never escape our sight, that this is not a common contempt, but an effort, on the part of government, to *manage* the courts of justice; to procure from them a virtual acknowledgment (and it has procured it) that its officers are not, like other citizens, at their peremptory call.

I confine myself, thus far, to the simple

fact of disobedience, on the part of a government-officer, to the writ of a court of justice, issued in a cause where the government is prosecutor; and I say, that this is beyond description indecent in the fact, and unconstitutional in the tolerance.—I know, that I shall be told, that attendance only, and not testimony, is declined; but, to this, I believe I have, hereafter, a serious answer to give. At present I shall only repeat, that it was indecent to ask, and unconstitutional to allow, a dispensation from this attendance.

But the simple fact, heavy and foul as it is, is trivial and pure when compared with what it becomes, when accompanied by the circumstances that belong to it; with the letter *of government*, received, accepted, and read by a court of justice: I allude to the letter read, or said to have been read, from the bench, by judge Patterson, on Monday, July 14th, 1806, and the contents of which are as follows:

'To the Honourable the Judges of the Circuit-Court for the District of New York:

'We have been summoned to appear on the 14th of this month, before a special circuit-court of the United States, to testify on the part of William S. Smith and Samuel G. Ogden. Sensible of *all the attention due to the writs of subpœna issued in these cases*, it is with *regret* we have to state to the court, that *the president of the United States*, taking into view the state of our public affairs, *has specially signified to us*, that our official duties cannot, consistently therewith, be at this juncture dispensed with. The court, we trust, will be pleased to accept this as *a satisfactory explanation of our failure* to give the personal attendance required; *and*, as it must be uncertain, whether, *at any subsequent period*, the absence of *heads of departments*, at such a distance from the scene of their official duties, may not equally happen to interfere with them, we respectfully submit, whether the object of the parties in this case may not be reconciled with public considerations, by a commission, issued, with the consent of their counsel, and that of the district-attorney of the United States, for the purpose of taking, in that mode, our respective testimonies?

'We have the honour to be, &c. &c.

'JAMES MADISON,
'H. DEARBORN,
'R. SMITH.

'*City of Washington, 8th July*, 1806.'

And this letter, this apology, this *satisfactory explanation*, or rather this *mandamus* has been accepted by a court of justice!—I am as liable as other men to be no better than a dreaming fanatic. The reasonable jealousy of the acts of government, the just sentiment of resistance to oppression, have but too strong a tendency to fill us with unfounded alarms, and give too violent an impulse to the passions. All this may be applicable to me; but, if my understanding be not thus unfitted for its office, there are involved in this letter, three points that ought to fix, in no slight manner, our attention.

I. I pass over the cant of *all the attention*, &c. and the *regret*, &c. and the insolent assumption, concerning a *satisfactory explanation*. I fix my eye on the statement, *That the president of the United States, taking into view the state of our public affairs, has specially signified to us, that our official duties cannot, consistently therewith, be at this juncture dispensed with.*—A court of justice has issued a writ of subpœna, and the return is, that the president has signified his unwillingness that they should attend! and this is called, impudently called, in the very face of the court, a *satisfactory explanation!!!* I desire to be answered, in what language men would express themselves, if a minister of the crown of Great Britain, or of that of France, or Spain, had made such a return to the writ of a court? —*His majesty has specially signified*, &c. *and the court will, we trust, be pleased to accept this as a satisfactory explanation!*—Such a return might, no doubt, be made; but, in what part of Europe is there a court base enough to accept it?

1. But, either the president has made this *special signification*, or he has not. If he have not, then a daring falsehood of the persons subpœnaed has been received as a sufficient return to the writ, and a sufficient apology for disobedience. If he have, then the matter is still more serious. The government has directly interfered with the administration of public justice. It has presumed to oppose its private interests, or its private views of convenience, to the mandates of the judges, the legitimate guardians of the people against itself—and, more than all, it has had the audacity to propose, that this act of presumption shall be received as a satisfactory explanation! This is nothing else, than to add insult to injury.

2. But the president has made this *special signification*, and after condescending to listen to the degrading recital, and after believing, on the word of Messrs. Madison, Dearborn and R. Smith, all interested persons, where is our complaisance to be permitted to stop? Not here; for Mr. Jefferson also is to be believed, when he chooses to assert, that the state of '*our* public affairs' will not consistently allow the attendance of the persons subpœnaed. I can have no private reason for doubting Mr. Jefferson's veracity; I am no enemy of his, public or private; but on public grounds, I am to doubt all that is not proved; as a citizen, I am always to suppose the government capable of acting dishonestly. To an inquisitive mind, many important reflections occur. To serve what and whose views is this *satisfactory explanation* given? The gentlemen subscribing the letter, insinuate their perfect devotion to the call of the court, and

that nothing has stopped them but the injunction of the president. But, might a president have no sinister view to serve, and to varnish over, with a vague account of multiplicity of business? Might he have no ambition of superiority to the courts? Might he wish to throw no difficulties in the way of public justice? Might he desire the concealment of no fact, nor the ruin of no citizen?—These gentlemen tell us of the president's inhibition; but can we tell under what circumstances this inhibition issued, if it ever issued at all? Can we tell, whether it was wrung from him, or forced upon them? Can we tell, which of the parties it was designed to gratify or to skreen? It bears the mark of a joint act; of a solemn conference; but, who proposed the act? who solicited the conference, &c. &c. &c? The secretary states the president's inhibition, and the district-attorney resists the compulsory process: Is there not something shameless in all this?

3. But, grant this too. Grant that public affairs call urgently upon the time of messieurs Madison, Dearborn and R. Smith; but, let us ask, whether the *public affair* of bearing testimony, at the call of a citizen put upon his deliverance, be not urgent also? whether the *public affairs* of yielding obedience to and maintaining the dignity of the courts of justice, be not urgent also?

Much may be done in a small compass, when men choose to do it. The hours that we lounge over the bottle are sufficient for the transacting of momentous affairs. Those we slumber away in a morning are sufficient for crossing many miles. A night, spent in travel, will carry us far. But, the offices of great ministers, of *heads of departments*, may be so crowded with business, that they engross all these odds and ends of a statesman's time. He may be content to sit late, and rise early, or rather not to sleep at all, and to take, at random, a mouthful for the support of nature. I say, that unless something of this sort prevails in Washington, the whole of the letter is a subterfuge: there is nothing true but the disobedience to the subpœna; but the unwillingness to obey it; the rest is a plausible invention.

II. We have done with the *satisfactory explanation*. That is an affair of the moment; the injury may not be very great, and the insult may be forgot, or at least forgiven; but, a deeper wound has been inflicted: AND, *as it must be uncertain, whether*, AT ANY SUBSEQUENT PERIOD, *the absence of* HEADS OF DEPARTMENTS, *at such a distance from the scene of their official duties, may not happen to interfere with them, we respectfully submit, whether the object of the parties in this case may not be reconciled with public considerations, by a* COMMISSION, &c.

Here too, I have to overlook the respectful cant, concerning the *reconcilement* of public justice with the wishes of *heads of departments;* the indecent proposal, to a character so august as that of a judge, to make a *compromise* of his duty, to *compound* with an offender, to betray the charge reposed in him;—and this, by a character so inferior and so suspicious as that of a public servant! I overlook this: my business is with the proposal itself; a proposal, the modesty of which has seldom been surpassed. It requires no gloss, no paraphrase; it is scarcely necessary that I should name it: it is nothing less than this, that *at any subsequent period*, NOW AND FOR EVER, those super-citizens, the HEADS OF DEPARTMENTS, shall have it at their choice, whether to obey a subpœna or not; or, rather, shall, by precedent, be held exempt from all such attendance whatever!!!

1. Under the former head, it might occur to us to inquire, what extraordinary business compelled the *special signification* of the president, and that disobedience which the gentlemen, it is not to be doubted, so feelingly *regret;* and it is at least presumable, that the leisure enjoyed by the members of government must be as great at this moment as at any season of the year, or at any period of time. This objection is ably anticipated by the proposal now before us, which is made to arise out of the suspicion, that AT ANY SUBSEQUENT PERIOD, *the absence of heads of departments, at such a distance from the scene of their official duties, may happen equally to interfere with them*. This is to drop the mask too soon; but it is dropped, and the country has now to take into its consideration, whether it will allow one law to prevail for private citizens, and another for the use of the public servants.

2. All men find it more or less inconvenient to their business to obey the subpœnas of courts of law. A planter of Georgia can seldom relish a summons to attend the courts of Boston; a rich man, overwhelmed with business, or a poor one struggling to maintain his family, may be exposed to considerable injury; and is it to be borne with, that the public servants are to be the first to complain, the first to become refractory? As to the privilege demanded, not only is it incompatible with equal laws, but there is connected with it very important particulars, of which I shall take notice, when I come to the final consideration, the difference between an examination in open court, and one effected by commission.

III. The third and last point is contained in the concluding lines of the letter: *Whether the object of the parties in this case may not be reconciled with public considerations, by a commission, issued, with the consent of their counsel, and that of the district-attorney of the United States, for the purpose of taking in that mode, our respective testimonies?* Such is the project of a precedent for *any subsequent period!* As to the prosecution in question, no such commission has, I believe, been issued; and, as far, therefore, as this is concerned, it may

seem unnecessary to take notice of it: its application, however, to *any subsequent period*, is of considerable importance.

1. The first question that presents itself, is that of whether the court, in this or any similar instance, will abandon its familiar and excellent maxim, *to receive only the best evidence that the nature of the case will admit.* That answers, to interrogatories put by virtue of a commission, when compared with the testimony of a witness easily to be brought into court, are not the *best* evidence, &c. is itself a maxim also.

2 The next questions, are by what views, to which the court is not to lend itself, a witness may be induced to prefer an examination by commission? and whether justice may not be materially impeded by the indulgence? That justice may be impeded, is indeed the reason of the maxim I have quoted.

Now, a witness consulting his own feelings, a witness unwilling to tell the *whole truth*, or even to be pointed at for a simpleton, may have strong *private* grounds for disliking a *viva-voce* examination. When Mr. Pitt was called upon to give evidence in behalf of Mr. Horne Tooke, does any man doubt whether or not he would have preferred an examination by commission, to one conducted at the Old Bailey, where not only he was exposed to the questions and observations of counsel, but where he was made the butt of Mr. Tooke's vivacity? Is it not to be presumed, that he would have been pleased to offer, in its stead; the *king's special signification*, and to find the court of opinion, that his *failure, in giving the personal attendance* required, was, by that *signification* or pretended signification, *satisfactorily explained?*

3. But, all the circumstances, thus disagreeable to witnesses, may be considerable helps to the course of justice. The advantages to be respectively gained or lost by the two modes of examination are what belong to this final article. Here, however, I must refer to those who are competent to supply what my imperfect knowledge of the subject obliges me to leave deficient. It occurs to me, nevertheless, that, in a public examination, there are to be remembered, among others, the following helps to justice: 1°. The witness stands in the presence of the court and jury, who may sometimes gather as much from his demeanor as from his words; who, if they fail to comprehend the meaning of his phrases, may enter into personal explanation; who may ask a thousand questions, highly important, and yet never thought of till the moment in which they are asked; and the answer to some one of which may give a new colour to the case: 2°. The witness is ready to be called upon, should any subsequent testimony render further examination desirable; 3°. He may be made to undergo a valuable cross-examination, such as no counsel can be prepared for, but at the time, and amid the circumstances of trial; 4°. If he should refuse answers, the court can come to immediate decision on his refusal; nay he will sometimes want the courage to refuse in a public examination what he will struggle against in a private one.—These are some of the helps to justice with which the modest proposal, of Messrs. Madison, Dearborn, and R Smith, requires the court of law, in favour of *heads of departments, at any subsequent period*, to dispense!

I take my leave of the letter; and, though this examination of it has not been the most pleasing task in which I could have engaged, I believe that I shall never look back on it with dissatisfaction. I have not written on malicious or idle rumours, but on a public document. The liberties of the people have been insulted, if not endangered. These things should be taken in the bud.

As to what the gentlemen who have signed this letter think of themselves, that, I thank God! is no part of my concern. I know what advice, under their circumstances, I should have given to honourable men. I should have said, 'You are accused of having participated in an act, which committed by you, is one of the most heinous with which you can be charged. It is probable, however, that you can make it appear, that at the worst, you did but give it your private good wishes which are your own, never your public sanction, which is the state's. Go forth, therefore, face your accuser; evince your fidelity; at least, avow the truth, and abide the consequences. Rejoice in the investigation; solicit it; meet it.' This advice, to honourable men, I should have dared to give; and this advice, by honourable men, would have been dared to be pursued.

I will not conclude, without drawing a parallel, or rather a contrast. The neglect of a public officer to obey a subpœna reminds me of a case of the Irish chancellor, my lord Redesdale. When Dr. Troy, the titular archbishop of Dublin, proceeded, by information, in the court of King's Bench, at Westminster, against the editor of the Anti-Jacobin Review, for the publication of a libel, lord Redesdale, then in Dublin, in the execution of his office, was served with a writ of subpœna, on the part of the prosecution, requiring him to attend at Westminster. He was to have been examined as to his notion of the episcopal character of Dr. Troy. He did not attend, and he was excused.—Now, observe, that the lord-chancellor of Ireland, in obeying the subpœna, would have had, not only to travel more than twice the number of miles that lie between Washington and New York, but to cross a channel where vessels are often detained many days: when arrived, the evidence to be obtained from him, under all the circumstances, was of little importance; and only a common libel was at issue. Here, it may be thought, were more than sufficient

reasons for excusing his lordship; but a higher consideration remained behind: he had been called, not to support a defendant, but to strengthen the hands of a prosecution; and a British court of justice will always draw this generous line of demarcation; it will always see, without great emotion, the prosecutor stript of his weapons, but never the prosecuted.

For the rest, I have no parties to serve, nor no animosities to indulge. I am alike unacquainted with each of the gentlemen whose names I have had occasion to write. I see nothing, but the liberties of a free people, and the shock they have received. In venturing to approach topics of law, I have very probably betrayed technical ignorance; but I hope I shall be found to have spoken in the genuine spirit of a freeborn man. In communicating my sentiments on this occasion, I have aimed only at worthy objects. I call upon men who have once turned pale under the threats of a judge and a district-attorney, to recover the complexion that belongs to those who live under the protection of laws; I call upon the courts of law to remember the duties they owe to the people, and the dignity that belongs to themselves; I call upon the country to look with a generous and wise sympathy on every member of its community; to demand from the laws what they were ordained to give; and, not slumbering too securely under the tree of liberty it may have planted, to watch with an unsleeping eye, as well what fruit it produces, as what robbers may purloin.

CONCANGIUS.

It will be perceived, that the letter of my correspondent was written before the verdicts of the juries at New York were pronounced; but, as it seems to have had nothing temporary in its design, neither the writer nor my reader will be displeased with the accidental delay of its appearance. I shall only add, that if any communication should be made to me, exhibiting an opposite view of the transaction arraigned, I will most readily give it a place in my paper; premising, however, that beyond that point, I cannot listen to the subject.

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In the French Ode below, the rival voices of Ease and Glory will remind the reader of Juvenal's struggle between Luxury and Avarice:

ODE.

Entre la Gloire et le Repos
Toujours à moi-même contraire,
Sans me fixer je délibère.
La palme de l'une m'est chère;
De l'autre j'aime les pavots.
Que faut-il donc que je préfère?
Dois-je sur les pas des héros,
Des combats suivre la carrière;
Et dans la lice littéraire
Surpasser d'illustres rivaux?
Ou bien de l'aimable paresse
Cultivant les molles douceurs,
Dois-je au sein de l'enchanteresse
M'endormir sur un lit de fleurs?

Dans cette vague incertitude
Toujours vainement agité,
Le Repos m'arrache à l'étude,
Et la Gloire à l'oisiveté.
A peine au premier je me livre
Que la seconde obtient mes vœux,
Et pour vouloir tous deux les suivre,
Je ne puis atteindre aucun d'eux.

Honteux d'une obscure existence
Et par la Gloire tourmenté,
Déjà mon avide espérance
Embrasse l'immortalité.
J'étends mes aîles, je m'élance
Et vole à la postérité.—
Mais le doux Repos qui s'avance,
Des charmes de l'independance
Fait briller son obscurité,
Et d'un autre amour transporté,
Dans les bras de la nonchalance
Je cherche la félicité.
Armé du pinceau de l'histoire
Je voudrais, Tacite nouveau,
Suspendre au temple de mémoire
De nos mœurs l'effrayant tableau.
Je voudrais, d'Ovide et d'Horace
Imitant les chants tour à tour,
Entre la sagesse et l'amour
M'asseoir un jour sur le Parnasse.
La Gloire soutient mes efforts.
'Oui, dit-elle, conçois l'audace
'D'égaler ces illustres morts.—
Mais à peine je suis leur trace,
Le Repos se montre, et je dors.
'Tu dors! me crie à l'instant même
La voix que je crains et que j'aime,
'Est-ce donc là remplir ton sort?
'S'illustre-t-on quand on sommeille?
La Gloire parle, je m'éveille,
Et je l'embrasse avec transport.

J'entends la guerrière trompète,
Je vole à ses bruyans éclats,
Et déjà le dieu des combats,
S'apprête à couronner ma tête
Des lauriers cueillis par mon bras.
'Partons'.—'Insensé, je t'arrête,
Me dit le Repos à l'instant,
'La couronne de myrthe est prête,
'Eglé qui la tient et t'attend,
'Doit être ta seule conquête.
'Méprises cet éclat trompeur
'Qu'offre une sanglante victoire.
'Auprès d'elle, tu vois la Gloire;
'Auprès d'Eglé, vois le bonheur.
'Suis-moi.—'Je le suis en silence,
Quand la Gloire à son tour s'avance,
Et me forçant de m'arrêter:
'Lâche, si tu veux une amante
'Toujours belle, toujours constante,
'Près de moi viens la mériter.'

Grand Dieu! de mon ame flottante
Viens enfin terminer les maux.
Entre ces deux cruels rivaux,
Ne sachant jamais auquel croire,
La Gloire m'ôte le repos,
Le Repos m'enlève à la gloire.

IMITATION.

Glory and Ease my heart between,
To this, and now to that, I lean;
To each I give my hand, by turns:
For Glory's palm my bosom burns;
But, oh! again, thy poppies, Ease,
How much my aching eyes they please!
Say, shall I mount the hero's car,
And seek the glitt'ring ranks of war;
Or, emulous of letter'd fame,
With wits desire a radiant name?
Or, rather, in sweet indolence,
Neglect ambition's wild pretence,
Recline me on th' enchantress' breast,
And sink, on beds of flow'rs, to rest?

Divided thus, I wear my life,
For ever with myself at strife;
By Ease, from glory still withdrawn;
By Glory, ease inspir'd to scorn;
And, ah! meanwhile, thus bent on each,
My faithless steps can neither reach!

Slothful no more, my days shall roll!
To Glory I devote my soul!
Yes, for immortal life I 'll live,
Life that 'tis, Glory, thine to give!—
I spread the wing, prepare to fly,
And fix on future years my eye;
But, gentle Ease, slow-drawing near,
With dulcet voice arrests my ear;
Paints, as she can, the private lot,
Obscure retreat and low-roof'd cot;
The peaceful life, that steals along
At distance from the jarring throng;
Nor least, to gild the modest scene,
Paints Independence' stately mien;
The love of Glory calls a jest;
Glory, with toil and care opprest;
And bids me, wiser, seek to prove
The pleasures of a softer love:
Dear guide, I murmur, I with thee,
Will seek the best felicity!

Seizing the proud historic pen,
Fain would I picture states and men;
Or lash, with Virtue's holy rage,
The vices of an iron age;
Or, nobly vent'rous, touch the wire
That, Horace, strung thy happy lyre!
'"Tis well,' cries Glory, 'dare be great!
'Strike home, be bold, and conquer fate!'
Alas, the words are scarcely said—
Ease comes—in sleep, I droop my head!
'Sluggard!'—that awful voice I hear,
That voice I love, that voice I fear:—
'Is 't thus thy mispent minutes go?
'Do men in sleep illustrious grow?'
"Tis Glory speaks!—I feel her charms,
And spring, impatient, to her arms.
I hear the warrior-trumpet blow;
I burn to meet the haughty foe;
Forth to the fight, in thought, I run!
Already on my brow I wear
The laurel that my arm has won:
Charge! charge! pursue!—'Rash fool, forbear;
'Hear Ease, and shun the wiles of Care!
'Thy brow let fragrant myrtle bind,
'Lo, Mary gives; lo, Mary kind!
'Be her thy conquest, this thy spoil;
'And, oh, despise the wretched toil
'Of those, who, in the madd'ning field,
'Desire what arms and blood can yield!
'Be blind no more; but, join'd confess
'With Mary, Glory, Happiness!
'Follow thou me.'—Convinc'd, I bow,
Wise grown at length, and fixed now.
—Again, again, 'tis Glory cries,
'Unblest, from me the wretch that flies!
'What! coward, shall the fair be thine?
'To win the fair, fond fool, is mine!
'Shall thine the lovely Mary be?
'Arise, deserve her, follow me!'

Ye pow'rs, no longer let my mind
The right path vainly try to find;
But teach me where my vows to pay,
Teach where to choose and where to stay!
Me, Glory robs of Ease's calm;
Me, Ease deprives of Glory's palm!

For the Port Folio.

MR. MOORE'S NEW WORK.

He knows a bank whereon the wild thyme blows,
Where oxlips and the nodding violet grows;
Quite overcanopied with lush woodbine,
With sweet musk roses and with eglantine,
And where the snake throws her enamel'd skin,
Weed wide enough to wrap a *Fairy* in.
Midsummer Night's Dream.

By private letters from London, as well as from the Literary Journals, we understand that a new poetical performance from the pen of ANACREON MOORE was to make its appearance early this year. It was to form a superb quarto, and to be entitled *Epistles, Odes, and other Poems*, written chiefly during an absence of fourteen months from England. The effusions were inspired by *Bermudian, American, and

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* From many a specimen, that we witnessed during a few *fleeting* moments we know that, like the charmful and adroit Ariel, this other "*fine spirit*" can

——————— fetch *dew*
From the still vex'd *Bermoothes.*

Canadian scenery during a rapid tour made to the Summer islands, some of the southern and middle states of this distracted country; and the provinces of Lower and Upper Canada and of Nova Scotia and New Brunswick in the British dominions. This new work is said to exhibit brightness of imagery, sweetness of versification, and great versatility of talents; the author, in his excursive flight, having ranged from the sportive song, and the amatory sonnet, to the lighter and graver ode, and the familiar epistle. In some of his longer and more elaborate effusions, Mr. Moore has exercised the liberty both of a traveller and a satirist, and has described, we are confident, not with more harshness than truth, many of the deformities of a republican region, in which, perhaps, from the form of government, and most certainly from its administration; from the shameful imperfection of education in some places, and the total want of it in others, and from the ignorance, levity, boorishness, and ingratitude of the commonwealth character, there must sprout so much Folly, and so much Vice, as not only to task the gay and sportive powers of such a writer as Mr. Moore, but all the severity of Juvenal himself. The crimson of shame and the fever of indignation glow on our cheek, when we survey the voluntary degradation of our unhappy country.

Pudet hæc opprobria nobis
Et dici potest et NON POTUISSE REFELLI.

For the Port Folio.

LITERARY INTELLIGENCE.

The preceding article was written very early last spring, when our information on the subject was partial and scanty. Within a few days, by the attention of a generous friend, no stranger to the avidity with which we devour the novelties of elegant literature, we have been favoured with the first copy of Mr. Moore's work, which has been received in America. We have had opportunity to peruse only about one third of its contents, as the volume is a large quarto, and was in our possession but a few hours. Mr. John Watts, with that alacrity which distinguishes him as a man of business, instantly put this volume to press, and, as appears by his circular letters, will publish it in a few days.

After the specimens of Mr. Moore's genius so often exhibited in former volumes of this Journal, and after the repeated declaration of our opinion with respect to the nature and variety of his literary powers, it is scarcely necessary to add that the translator of Anacreon has displayed uncommon talents in the production of this new work. We shall arrange the proofs in due time. Meanwhile it is no more than mere justice to say that, in many a dithyrambic on the Grecian* model, and in many a caustic satire in the very spirit of the most indignant of the Roman satirists, Mr. Moore has presented himself in a new character, such as till now we were ignorant he had the inclination to assume, or the ability to support. In his description of the emerald verdure and orange groves of Bermuda, the reader will miss neither the landscape nor the genius of Italy. In his prose, we are called to admire the union of learning and grace; and in his heroic poems, we remark with how much felicity he has caught both that tenderness of sentiment and genuine cadence of poesy, which so gloriously distinguished his countryman, GOLDSMITH. In a few, a very few, of his minor poems in the *Ovidian* manner, the author's ardent sensibility towards the charms of the fair may have betrayed him to luxury of thought and warmth of expression, which may produce *real* regret in the bosom of the colder moralist, and hypocritical frowns on the forehead of the fanatic. But this effervescence of youth, this transient glow of the *juvenis protervus*, is much more than counterbalanced by the most unequivocal proofs not only of the opulence of his mind but of the goodness of his heart.

* In the language of SHAKSPEARE's Puck,
Thou shalt know the man
By the *Athenian* garments he hath on.

For the Port Folio.

MISCELLANY.

[In devoting a part of our attention to the interests of the rising generation, we but fulfil a duty, which to neglect were highly criminal. We have watched the progress of seminaries of learning with a careful eye; and we have reason to assert, that in no country should we find an establishment better calculated to diffuse useful and elegant information than the academy of the Rev. Dr. Abercrombie, whose exertions and perseverance under various difficulties have, at length, permanently established an institution which cannot fail to be as advantageous to the public, as it is honourable to the learned and ingenious director.

The following eloquent charge we have procured from the author, and we introduce it with the more pleasure, as, whilst we give publicity to so excellent an exhortation, we have an opportunity of expressing our esteem for the character of Dr. Abercrombie, and our respect for his talents and industry.]

A CHARGE DELIVERED, AFTER A PUBLIC EXAMINATION, ON THE THIRTY-FIRST OF JULY, 1806, TO THE SENIOR CLASS OF THE PHILADELPHIA ACADEMY, UPON THEIR HAVING COMPLETED THE COURSE OF STUDY PRESCRIBED BY THAT INSTITUTION, BY JAMES ABERCROMBIE, D. D. DIRECTOR OF THE ACADEMY.

Young Gentlemen,

In conformity to the usage heretofore observed in this seminary, I shall conclude the exercises of the day, by offering you my most ardent and affectionate wishes for your future prosperity and usefulness, and by suggesting a few sentiments respecting the prosecution of your studies, and the general direction and government of your conduct.

The time which has already been occupied in attesting your diligence and success, in acquiring a knowledge of those branches of science which have been presented to your attention, constitutes so large a portion of that usually appropriated to such examinations, that I must necessarily confine my observations within very restricted limits.

You have now passed through, and given ample testimony of your intimate acquaintance with, that course of study which is peculiar to this institution—a course, which the experience of some years has incontestibly proved, affords the most solid, and permanent *foundation* for a liberal or *learned* education, at the same time that it qualifies for immediate usefulness and action, those, who do not wish to pursue their studies beyond a correct knowledge of our own language, and the branches essentially necessary to constitute a complete *English* education. Your experience and consequent conviction of the utility, and of the natural and necessary connection between the different branches of that system, will, I trust, induce a frequent review of their principles, and an unremitted application of them to the various subjects to which they relate.

The intimate knowledge, which you have acquired of *Grammar*, will not only enable you to express your own ideas with perspicuity, facility and accuracy, but immediately to detect the least deviation from grammatical purity, in the writings and expressions of others. Grammar being the foundation of correct language, is the most essential and important, and ought to be the first object of literary attention presented to the youthful mind. It is the corner-stone of a solid though plain, and the key-stone in the *royal arch* of a polished and liberal education, without which the superstructure on the one, and the necessary appendages of the other, will be feeble and unconnected, superficial and imperfect.

In acquiring this valuable branch of instruction, you have been guided not by the faint and uncertain glimmerings of a taper, the just emblem of the too generally received *abridgments*, but by the strong and steady torch-light of the larger grammar of Mr. Lindley Murray, a gentleman whose unwearied exertions on this subject, have done more towards elucidating the obscurities and embellishing the structure of our language, than any other writer upon that subject. To him the world is indebted for an invaluable work which must immortalize his name in the annals of science and polite literature. Such a work has long been wanted, and from the success with which it is executed, cannot be too highly appreciated. While to this meritorious, this inestimable work we attach that value which its intrinsic excellence demands, let us remember with gratitude and patriotic pride, that its pious and learned author is a native of *our* country—that Lindley Murray, who has so successfully employed his time and talents in establishing for our language a standard of grammatical purity and elegance, is an *American*.

It was the want of such a work which induced the celebrated Dr. Knox, in his elaborate and learned treatise upon education, to lament that the study of *English* grammar had so long been neglected, even in the most approved schools. "I have known," says he, "boys who, though they could write Latin grammatically, were unable, for want of this part of instruction, to compose an English letter on a familiar subject, without incorrectness; and, from the want of early instruction, and habitual accuracy, even some celebrated writers in English have made egregious mistakes in *English grammar*."

It is, I know, conceived by some, that a sufficient knowledge of the English may be acquired by learning the Latin grammar, but this is certainly a very pernicious and fatal error, the idioms of those two languages being essentially different from each other. And it is unfortunately an error which is seldom discovered by the scholar, till it is too late to be remedied. Be ever on your guard, therefore, against the adoption of those phrases and expressions which too general usage has sanctioned, in direct violation of the purity and propriety of the just and well established principles you have imbibed, and always judge of your own language and its pronunciation, as well as that of others, by the established dictates of Orthography, Etymology, Syntax and Prosody.

As grammar has taught you how to speak and write your native language with propriety and ease, so far as regards words, phrases and sentences, so has the study of *Composition*, with which it is naturally connected, and which in the order of our series next claimed your attention, instructed you how to connect sentences in a regular discourse, to express your ideas with perspicuity, accuracy, and precision, and to accommodate your style to your subject, at the same time teaching you the nature and proper use of figurative language, and to discriminate between just, and superfluous ornaments. Thus have you acquired an unerring test, by which to guide and regulate your own pens, and to ascertain the intrinsic merit of others. Accustom yourselves to bring every composition which you either form or peruse to this criterion of propriety, and you will soon acquire that facility of correct criticism, which will enable you to command not only the force and vigour of pure and energetic, but the pleasing and persuasive charms of polished and classical, language.

The graceful and impressive communication of thought, according to the established laws of *Elocution*, constituted the next branch of your studies.

To read well, and to speak gracefully, are very difficult arts, which it falls to the lot of but very few indeed to possess. Yet, though an orator, like a poet, must be chiefly indebted to nature for his qualifications, much may be done by study and exertion, in correcting bad habits and avoiding palpable errors: while even the effusions of genius and the dictates of genuine taste require the guidance of sound judgment and the direction of mature experience, to restrain within proper bounds the effervescence of the one, and to direct the other into the most pleasing and impressive operation. This branch of your education is of the most essential importance to you, from the peculiar organization of our general government, which opens every avenue for the successful display of genuine talents, and particularly for the acquisition of wealth and fame, by the exercise of correct and graceful elocution. In most other countries elevation to dignity of station, and the establishment of professional celebrity depend upon the accidental circumstances of favourable patronage and personal influence: but, with us, inferiority of birth, or obscurity of condition, are no impediments to the attainment of the highest honours which the Bar, the Senate, or the Pulpit can confer. Leaders of the people, luminaries of the church, oracles of the bench, and sages in the legislative councils, may owe their promotion and popularity to the influence of Eloquence and to the charms of Oratory.

" For *language*, polish'd to perfection's form,
" Can, thus responsive to its ends, enchain
" The ravish'd audience with Persuasion's force,
" And Oratory bid e'en myriads hang
" In mute suspension on attractive sounds,
" While skilfully she unlocks with Nature's key
" The secret springs which agitate the soul!"

Under such circumstances, such flattering encouragement—injunction and persuasion cannot be necessary to induce your most active and serious attention to the expansion of those principles, the cultivation of those habits, and the exemplification of those precepts on the arts of reading and public speaking which you have so assiduously and successfully imbibed in this seminary. Make it an invariable rule never to read or recite any composition in a careless or hurried manner; but with the strictest observance of the proper accents, quantities, emphasis and pauses; and that due regard to looks, tones and gestures which a correct and just expression requires; and particularly in the reading aloud of blank verse, the highest and most perfect species of poetry, let the injunctions of prosody be rigidly adhered to, without which, its three great objects, melody, harmony and expression cannot possibly be obtained.

Your knowledge of the rudiments of that interesting and inexhaustible source of entertainment and instruction, *Natural History*, will enable you to rank all those wonders of creation, with which we are surrounded, in their respective classes, to investigate their peculiar properties, and to determine the ends for which they were designed: while, "looking from Nature up to Nature's God," your minds will be impressed with a constant sense of the omnipotence, benevolence and wisdom of the Deity.

To promote this happy consequence of investigation, as well as your improvement in so pleasing and important a branch of Literature, let no object belonging to that

science pass under your observation without an immediate application of those principles by which you will be enabled not only to class it in that of the three kingdoms of nature to which it belongs, but to determine its particular properties and usefulness. Your daily and increasing intercourse with society, and your consequent attention to the general concerns of the world, as well with respect to those nations with whom we are politically or commercially connected, as with those, who, though not engaged with us in reciprocal communications, excite an interest in their welfare, as constituting a part of the great family of mankind, will of course lead you to keep up a constant recollection of their relative situations, manners, and customs to which your attention has lately been directed by the study of *Geography*. When, therefore, you either read or hear the name of any country, city, river, lake or ocean, if you do not instantly recollect its position on the globe, remember to embrace the first opportunity of ascertaining its exact situation, extent, and boundaries by a map. Thus will you keep alive in your minds a vivid representation of every part of that great theatre of action in which the several varieties of men and other animals are stationed; together with the various productions, both vegetable and mineral, which different climates produce for their sustenance and accommodation. That acquaintance with the faculties of the human mind, and their operation in apprehending, judging, reasoning, and arranging our thoughts, which you have obtained by wandering through the intricate labyrinths of *Logic*, you will find, if carefully attended to and improved, of infinite service to you in your intercourse with mankind. It will teach you how to form just and incontrovertible arguments on every subject—to detect in others the plausible deception of *false* arguments—to supply, and consequently to ascertain, the correctness of the enthymemes used in common conversation, and, on all occasions, not only to detect the delusions of sophistry, but to support your sentiments with that conviction of strength which none but the scholar can feel, and which a knowledge of logic alone can teach you most easily and effectually to exert.

In every act of reasoning, therefore, regulate your own arguments by the precepts of logical science; and carefully examine those of your opponent by the same principles. Thus will the cause of truth be most effectually defended, and the artifice of error most easily detected.

These, my young friends, being the most prominent features in that plan of English education which this seminary embraces, I have dwelt more particularly upon *them*, and annexed a precept to each, which I trust you will faithfully remember and uniformly act upon; at the same time, as diligently improving the knowledge you have also here acquired of arithmetic, writing, book-keeping, the elements of the mathematics, &c. &c. and above all, those principles of morality, and of pure undefiled religion, which have been daily inculcated by reading a select portion of the holy scriptures, morning and evening, accompanied with prayer, and, at the close of every week, with the recital of your respective catechisms, and a lecture on some one of the leading principles of our holy religion.

This branch of instruction, though mentioned last, is, be assured, not least in the scale of importance—indeed it is by far the most interesting and valuable of all the subjects to which your attention has been directed, inasmuch as the concerns of eternity infinitely transcend those of time in duration, and consequently in importance.

Human life was evidently intended by the great author of our existence as a state of unremitting activity and exertion. And indeed, if we for a moment seriously consider the high destinies of man, the various and extensive duties we owe to society, and the great, the indispensable preparation we must make in order to qualify ourselves for admission into a state of happiness hereafter, how inestimably valuable do the fleeting hours of time appear! for "How much is to be done!" And how short, how uncertain the period, in which it is to be accomplished! "The days of our age are," at their utmost extent, "but three-score years and ten, and though some men be so strong that they come to four-score years, yet is their strength then but labour and sorrow. So soon passeth it away and we are gone!" Remember, therefore, and let the remembrance be ever carefully preserved and kept actively alive in your minds, that in this short portion of existence, we have in early youth to qualify ourselves for a favourable reception into, and respectable establishment in, *this* world; and, as well then, as during the remainder of our probation here, to prepare ourselves for a happy entrance into the world of spirits. Great and important objects indeed! Objects worthy the contemplation and exertion of a rational and immortal Being!

With respect to the means of attaining the *former* object, I earnestly recommend to you the most active and unwearied diligence in the prosecution of your studies, should you incline to prepare yourselves for one of the learned professions; or, should an immediate entrance upon the duties of the counting-house be adopted, be equally assiduous in the discharge of them.

The satisfaction which you must experience from the consciousness of having so diligently employed your time, while under my tuition, as to acquire a general know-

ledge of those branches of science which we have just reviewed, cannot but be highly soothing to you. Cherish the animating sensation—persevere, nobly persevere in the acquisition of knowledge, and thereby expand and improve that inexhaustible source of honour and of comfort. Increase, strengthen, and confirm your habits of industrious application, and beware of indulging in any degree the interruption of their influence.

Idleness, be assured, not only paralyses the mind, and renders it torpid with respect to every virtuous emotion, but thereby promotes the influence of our wayward passions, cherishes the propensities to vice, and frequently leads to the commission of criminal actions. Be persuaded, therefore, never to relax the diligence you have so long been accustomed to exercise, nor suffer a day to pass, to present its opportunity of improvement, without availing yourselves of the high privilege it offers, and adding to your stock of knowledge. "I have lost a day," said one of the wisest and most amiable of the Roman emperors, whenever he suffered a day to escape, without having acquired some useful information, or performed some meritorious action.

"So should all speak; so Reason speaks in all."

In order to acquire eminence in any profession, the basis of which is formed of scholastic literature, you must exercise yourselves in serious thinking, and accustom yourselves to solitary study and literary labour. When you do mix with society, endeavour to associate with men older and wiser than yourselves, from whose knowledge and experience you may hope to gain solid improvement. Preserve on all occasions, a dignity of deportment, and an uniform urbanity of manners. These will conciliate the esteem and respect of the virtuous and the wise, will most effectually repel the obtrusive insolence of folly, and awe into reverence the insidious and delusive artifices, of vice and immorality. Cultivate benevolence of disposition, and habitual serenity and cheerfulness of temper. Avoid the company of the frivolous, the licentious, and the profane. Be ever on your guard against the alluring solicitations of sensuality, and the fascinating and contagious influence of evil example. For which purpose fortify your minds with the inflexible resolutions of intrepid virtue.

——"Be just, and fear not.
"Let all the ends you aim at be your Country's,
"Your God's, and Truth's."

Consider that you are now about to enter upon the most dangerous period of your existence; to step upon the arena of the world, in which, like the combatants in the ancient amphitheatres, you will be immediately assailed by the most formidable foes, which are the more to be dreaded, because they will approach you with expanded arms, and insidious smiles under the mask of innocence, thereby endeavouring to lure you into their fatal embrace.

Or, to speak in plainer language, and without a metaphor, you will be surrounded by various temptations to sin, by the fascinating charms of pleasure, and the delusive seductions of vice, from without, and by the goading impulses of depraved propensities and boisterous passions from within, acting in unison with each other, and exerting their most potent energies for your destruction. O listen therefore to my warning voice! and wisely determine to enter upon this hazardous field of action with that virtuous and manly firmness and independence of spirit, with that vigilant precaution and circumspection, which a knowledge of your danger should inspire. "Fight the good fight of christian faith," and, invigorated and animated by the virtues she gives birth to, endeavour to be eminently and singularly good. Strive to be distinguished in society by those qualities and that conduct which will shed a lustre round your character, and induce the admiration and esteem of all;—by an affectionate and dutiful attachment and submission to your parents; the most invincible adherence to truth on all occasions; chastity and correctness in your sentiments and conversation; modesty, politeness, and gentleness of manners; a regular attendance upon the public worship of God, and a conformity to the rites of that particular church in which you may have been educated; a readiness to forgive injuries; and a submissive regard to the authority of reason, and the dictates of conscience. By the uniform observance of these and similar principles, you will be sure to command the soothing decisions of a *peaceful* conscience, the affection and respect of individuals, and the approbation, the confidence, and the patronage of the public.

Thus much with respect to this world, and your success in its pursuits.

But, my young friends, you are endowed with higher powers, and invested with nobler and more glorious privileges than present objects can possibly awaken or call forth into action. As inhabitants of *this* world, "this evanescent speck of earth," you are *mortal*, and your period of existence limited and uncertain in its duration; as rational beings, and candidates for eternity, you are *immortal*, destined to exist in the world of spirits, and your condition in that region of immortality will altogether depend upon the tenor of your conduct here. Awful, yet exhilarating consideration! How assiduous then should you be to secure for yourselves a happy immortality! And this, be assured, can *only* be effected by the power of true religion. Let, therefore, her sacred precepts be most cordially received by you, and have an uncontroled influence upon your sentiments and conduct. "Remember

your Creator in the days of your youth." "Acquaint yourselves with God, and be at peace." Dedicate to his service, and consequently to the salvation of your souls, the first fruits of those talents and intellectual powers which he hath given you for the promotion of that great end. It is of the utmost importance, that virtuous and religious principles be cherished by you at the present interesting period of your lives, to enable you to counteract and subdue those boisterous passions and vicious propensities of depraved nature, which commerce with the world invariably calls forth into action; and which, if not counteracted and restrained by confirmed and deep-rooted principles of virtue, will utterly disqualify you for the enjoyment of happiness, both in this world and the next. That you may be enabled to support the trials, and be guarded against the temptations, which will, ere long, assail you, let religion, that "day-spring from on high," illuminate and direct your inexperienced minds. By fervent and daily prayer, and by frequent perusal of the holy scriptures, support that intercourse with your God, which will enable you to grow in grace as you grow in age. From that book of divine revelation learn true wisdom, and regulate your thoughts, words, and actions, by the injunctions of the unerring laws contained therein. An acquaintance with the gospel of Jesus Christ, and a compliance with its precepts, will expand and enlarge your minds, sublime your affections, soothe your sorrows, and mitigate the unavoidable evils of life, by resolving them into the dictates of infinite wisdom: while, at the same time, you will be animated by the prospect and assurance of a blessed and glorious state of retribution, after death, for your perseverance in piety and virtue here. Human life is but the dim dawn of our existence. The dark mists of uncertainty in human affairs, the lowering clouds of disappointment, and the scowling tempests of adversity, interpose an awful and terrifying gloom between this world and the next, which nothing but the piercing eye of Christian faith, guided by the fervid ray of genuine devotion, beaming from a heart irradiated by the grace of God, and glowing with the celestial fire of true religion, can possibly penetrate.

This ray of light divine opens a communication between earth and heaven, which invigorates the soul, enlightens the understanding, harmonizes the affections, controls the passions, dissipates the fears, and animates the hopes of man, during his pilgrimage through this wilderness of sin and sorrow, and even illuminates and exhilarates with its radiance the deep and silent caverns of the tomb. On a topic so interesting to your welfare I would gladly indulge some additional sentiments—but I must forbear—I fear I have already trespassed on the patience of the audience.

Farewel, then, my respected and beloved pupils—may the instruction which you have received in this institution be remembered and improved by you through life—may you experience every degree of worldly dignity, profit and pleasure, which is consistent with the dictates of honour and integrity, and may you finally obtain the eternal rewards which are promised to the pure in heart!

Receive now that public reward of diligence, which this seminary confers upon her meritorious sons, accompanied with my most fervent benediction and ardent prayers for your success in the prosecution of your studies, and for your own future health, prosperity, and happiness.

"Father of light and life, thou Good Supreme,
"O teach them what is good, teach them thyself!
"Save them from folly, vanity, and vice,
"From ev'ry low pursuit, and feed their souls
"With knowledge, conscious peace, and virtue pure;
"Sacred, substantial, never fading bliss!"

The following is a copy of the certificate given:—

"In testimony of the zeal and industry with which A. B. has pursued, and the honourable proficiency which he has attained in, the studies of Grammar, Writing, Arithmetic, Composition, Elocution, Natural History, Geography, and Logic, in the Philadelphia Academy, under my tuition, of which he has given proof, by a public examination, this day.

"And also, in testimony of my affectionate regard, and sincere wishes for his future prosperity and usefulness, I have granted him these presents. Dated at Philadelphia the thirty-first day of July, Anno Domini 1806.

"JAS. ABERCROMBIE, D. D.
"*Director of the Philadelphia Academy.*"

Each of the following young gentlemen received a Certificate:

JAMES J. BARCLAY,
SAMUEL M. COHEN,
ROGER EDDOWES,
T. WILLIAM FREEMAN,
HENRY HARRISON,
GEORGE W. HOCKLEY,
JOSEPH A. MAYBIN,
JACOB NATHAN,
THOMAS TRAQUAIR,
TOBIAS WAGNER,
RICHARD WILLING,
WILLIAM W. YOUNG.

For the Port Folio.

[During a period of four or five hours, in which we were indulged with the hasty perusal of a small portion of Mr. MOORE's new poems, we transcribed as many pages as possible for the amusement of our readers. We will not delay the pleasure that our friends of sensibility and taste will derive from the following, by any expression of our own opinions or feelings. Before a Grecian temple, we will erect no clumsy porch, but introduce at once the admiring connoisseur.]

LOVE AND REASON.

'Twas in the summer time so sweet,
When hearts and flowers are both in season,
That—who of all the world, should meet,
One early dawn but Love and Reason!

Love told his dream of yesternight,
While Reason talk'd about the weather;
The morn, in sooth, was fair and bright,
And on they took their way together.

The boy in many a gambol flew,
While Reason, like a Juno, stalk'd,
And from her portly figure threw
A lengthen'd shadow as she walk'd.

No wonder Love, as on they past,
Should find that sunny morning chill,
For still the shadow Reason cast
Fell on the boy, and cool'd him still.

In vain he tried his wings to warm,
Or find a pathway not so dim,
For still the maid's gigantic form
Would pass between the sun and him!

"This must not be," said little Love,
"The sun was made for more than you,"
So, turning through a myrtle grove,
He bade the portly nymph adieu.

Now gaily roves the laughing boy
O'er many a mead, by many a stream,
In every breeze inhaling joy,
And drinking bliss in every beam.

From all the gardens, all the bowers,
He cull'd the many sweets they shaded,
And ate the fruits, and smell'd the flowers,
Till taste was gone, and odour faded!

But now the sun, in pomp of noon,
Look'd blazing o'er the parched plains,
Alas! the boy grew languid soon,
And fever thrill'd through all his veins!

The dew forsook his baby brow,
No more with vivid bloom he smil'd—
Oh! where was tranquil Reason now,
To cast her shadow o'er the child?

Beneath a green and aged palm,
His foot at length for shelter turning,
He saw the nymph reclining calm,
With brow as cool as his was burning.

"Oh take me to that bosom cold,"
In murmurs at her feet he said,
And Reason op'd her garment's fold,
And flung it round his fever'd head.

He felt her bosom's icy touch,
And soon it lull'd his pulse to rest;
For ah! the chill was quite too much,
And Love expir'd on Reason's breast!

SONG, BY THE SAME.

The wreath you wove, the wreath you wove,
Is fair—but oh! how fair!
If Pity's hand had stolen from Love
One leaf to mingle there.

If every rose with gold were tied,
Did gems for dew drops fall,
One faded leaf where Love had sigh'd
Were sweetly worth them all.

The wreath you wove, the wreath you wove,
Our emblem well may be;
Its bloom is yours, but hopeless Love
Must keep its tears for me.

VARIETY.

Variety is charming,
Constancy is not for me;
So, ladies, you have warning.

OLD BALLAD.

A preacher, in a sermon on repentance, in which he insisted that actions, and not tears and pious exclamations, were the signs of a sincere repentance, concluded with this illustrative apologue:—A bird-catcher having caught his prey, used to kill them by strangling them. In this action, he happened one day to hurt his finger, and shed tears in consequence. See, says a young bird, he shews signs of pity upon us. Do not mind his weeping eyes, replied an old bird, look at his bloody hands.

Some person having observed to the famous Jerome Bignon, that Rome was the mansion of piety: Very true, replied Bignon, but Piety resembles some other great personages, who are *never at home*.

THE WISH ACCOMPLISHED.

From the French.

'Twas spring, when from his pregnant wife
For distant lands poor Lubin parted,
And, as he lov'd her more than life,
The swain was almost broken-hearted.

Gazing delighted on her charms,
May heaven, he cried, sweet spouse, restore
Thee safely to my longing arms
As now thou art, I ask no more.

Nor was his fond petition spurn'd,
Benignant heaven consenting smil'd,
A twelve-month past he home return'd,
And found his darling wife—with child.

ORIGINAL POETRY.

For the Port Folio.

LINES

ADDRESSED TO MRS. AND MISS H.

See, where to its maternal stem
  Yon filial flow'ret fondly clings!
The poet's sweet unconscious theme,
  And heedless of the lay he sings.

More fragrant far that parent bush
  Than flowery Hybla's scented gale,
And brighter far that flow'ret's blush
  Than May's first morning's dew-gemm'd veil.

And shall some blest triumphant swain
  (How blest! how more than doubly blest!)
Win this wild empress of the plain,
  And wear it on his raptur'd breast?

Were I——but, ah, no cultur'd plains,
  Nor gardens for such sweets I boast,
My locks are drench'd with driving rains,
  Nor hous'd my head from winter's frost.

'Tis mine, uncottaged and unclad,
  Chill storms, with purpled breast, to brave,
And struggling onward, faint and sad,
  To sink into my home, the grave.

Yet still, thus humble and remote,
  I, sure, may view a flower so fair,
And bless the too distinguish'd lot,
  That bids me breathe the *ambient air*.

August 30, 1796.

TO A LADY SEEN WEEPING OVER THE SICK-BED OF A PARENT.

Bright are the pearls that pave the way,
  Where in their cars the sea-nymphs glide;
Bright bursts the day-star from the sea,
  In silver torrents streaming wide.

Bright is the glory-streaming wreath
  That o'er the brow of genius nods,
Bright is the hero's fame in death
  Enroll'd amongst th' immortal gods:

But brighter far the filial tear
  That o'er the cheek of beauty streams,
Than ocean's gems, or stars appear,
  Or radiant glory's brightest beams.

Yes! tho' when first I heard thy name
  The sound sunk deep into my heart,
And while thy charms were told by fame,
  I fear'd—I felt, the future dart;

Had I not seen thee anguish'd, shed
  Thy sorrows o'er a parent's pain,
And grief its gradual paleness spread,
  Where health had held her rosy reign;
Perhaps, within this bleeding breast,
  Of hopes and fears the warring train
Had throbb'd themselves to final rest,
  Nor I still wearied heaven in vain.

EPIGRAMS.

Il est civil, accostable,
Doux, benin, courtois, affable,
Et le bon Prélat, en somme,
Merite d'être honnête homme.

IMITATED.

Aurelio's easy of access,
  Mild in his temper, and a man
That's ever ready to profess
  To do us all the good he can;
With qualities so much in vogue,
I wish he were not such a rogue.

STREPHON AND LAURA.

Strep. Canst thou behold those violets,
  Insensible, my fair,
Die on that bed, and all their sweets
  Evaporate in air?

Lau. Where would you have them die?

Strep. O, there,
  My Laura, I desire,
There let them spend their sweetness—where
  I could myself expire.

LOVE'S DRUMMER DEAD.

I lov'd you once, for you had charms,
But now those charms are fled,
My bosom beats no more alarms,
For why——the drummer 's dead.

As Dick and Bet at supper sat,
  Allowance being small;
She and her child of meat's beguil'd,—
  Her husband seiz'd it all.

And having done, cried, here's the bone,
  And, Bet, thou may'st it pick!—
This child, said Bet, thou ne'er didst get,
  So pick that bone, my Dick.

When bunters, attending the arch-bishop's door,
Accosted each other with cheat, bitch, and whore;
I noted the drabs, and, considering the place,
Concluded 'twas plain that they wanted—*his Grace.*

The Price of the Port Folio is Six Dollars per annum, to be paid in advance.

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